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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/343,509	06/30/1999	YOSHIAKI TAKABATAKE	0039-7268-2R	8009

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EXAMINER

FERRIS, DERRICK W

ART UNIT PAPER NUMBER

2663

DATE MAILED: 11/14/2003

16

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/343,509

Applicant(s)

TAKABATAKE ET AL.

Examiner

Derrick W. Ferris

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 12,13. 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. **Claims 1-24** as amended are still in consideration for this application. Applicant has amended claims 1-24.
2. Examiner **withdraws** the 112-first paragraph rejection for Office action filed 04/01/03.
3. Examiner **withdraws** the 112-second paragraph rejection for Office action filed 04/01/03. Examiner thanks applicant for making the necessary corrections to clarify the recited claimed subject matter and thus withdraws the rejection.
4. Examiner **withdraws** the obviousness rejection to *Lawande et al.* and *Lawande et al.* in view of *Lea* for Office action filed 04/01/03. The rejection(s) are withdrawn based on applicants' clarification of the recited claimed subject matter.
5. Examiner does **not withdraw** the obviousness rejection to *Saito et al.* for Office action filed 04/01/03. Applicant argues the rejection in applicant's remarks filed 9/29/03 on pages 21-23. In particular, application argues that the service information collected and notified is information regarding a service provided by the device of the first network, which is distinct from disclosing a certain device as a Sub Unit of some other device. Examiner respectfully disagrees; see figures 1, 7, and 43 of *Saito et al.* Applicant also argues that the communication control device is positioned similarly as the claimed communication node, but it is distinct from the claimed "communication terminal" (e.g., in reference to claims 19-21 and claim 22-24). Examiner respectfully notes a broad but reasonable interpretation of "communication terminal" and/or "communication node". Applicant argues the claimed limitation of a communication node that recognizes one communication node on a first network as one of its one constituents

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elements and discloses its own configuration information to another communication node on a second network, such that this another communication node on the second network recognizes that one communication node on the first network as if it is a constituent element of the claimed communication node (or equivalent as recited in independent claim 1, 8, 16, 19, and 22).

Examiner respectfully disagrees; see at least column 3, lines 3-22. Examiner has rewritten the rejection below to provide more clarity on why the claims are rejected.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 1-24** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,523,696 to *Saito et al.* (“*Saito*”).

As to **claims 1**, *Saito* discloses a network communication device that is capable of collecting information on devices within a first network. This information collected may then be sent to a second network device on a second network according to a second protocol [e.g., see column 2, lines 66-67; column 3-column 5].

Not clearly shown by the reference are a “constituent elements” since it is unclear what applicant means by “constituent elements” in light of applicant’s specification. Examiner notes that it would have been obvious to a skilled artisan prior to applicant’s invention to recognize “constituent elements” as a member of a group such as a member

for a first network which is taught and supported by *Saito*. Thus *Saito* provides support and motivation for a broad but reasonable interpretation of “constituent elements”.

As to **claim 2**, see figure 7 where examiner notes a broad but reasonable interpretation of “sub constituent elements”.

As to **claim 3**, see figure 8 and see e.g., column 20, lines 53-61 for a conversion function 229.

As to **claim 4-7**, see figure 8 and see e.g., column 20, lines 25-49 with respect to a 1394/IP service location processing function and a service location proxy function.

As to **claim 8**, see the rejection for claim 1.

As to **claim 9**, see the rejection for claim 2.

As to **claim 10**, see figure 8 and see e.g., column 20, lines 53-61 for a conversion function 229.

As to **claim 11**, see the rejection for claim 3.

As to **claim 12**, see the rejection for claim 4.

As to **claim 13**, see the rejection for claim 5.

As to **claim 14**, see the rejection for claim 6.

As to **claim 15**, see the rejection for claim 7.

As to **claim 16**, see the rejection for claim 1.

As to **claim 17**, see the rejection for claim 3.

As to **claim 18**, see the rejection for claim 4.

As to **claim 19**, examiner notes two reasonable but broad interpretation of a terminal. In particular, examiner notes a first interpretation of a terminal as a connections

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device as disclosed by *Saito* (e.g., 204 in figure 7) and a second communication node is a second connection device (e.g., 205 in figure 7). As such, examiner notes the rejection is very similar to the rejection of claim 1. Examiner notes a second interpretation of a terminal as either an IP terminal or a 1394 terminal as disclosed by *Saito*. Using the second interpretation, examiner notes that it would have been obvious to one skilled in the art prior to applicant's invention to disclose functions in the communications terminals as Sub Units in an AV/C protocol (Audio/Visual Control) protocol executed on an IEEE 1394 bus and receive at least a part of information regarding Sub Units existing on the in the second communications node using a reasonable but broad interpretation of "functions" and "Sub Units". In particular, *Saito* cures the above cited deficiency by disclosing the functionality of a notify agent and a directory agent for the AV/C protocol; see column 3, lines 58-67 and column 4, lines 6-16. One skilled in the art would be motivated to employ the functionality of a notify agent in a first communications terminal and the functionality of a directory agent in a second communications terminal based on the teachings of *Saito*.

As to **claims 20 and 21**, see figure 8 and see e.g., column 20, lines 25-49 with respect to a 1394/IP service location processing function and a service location proxy function.

As to **claim 22**, see the rejection for claim 19.

As to **claims 23 and 24**, see the rejection for claims 20 and 21 respectively.

Conclusion

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8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Derrick W. Ferris whose telephone number is (703) 305-4225. The examiner can normally be reached on M-F 9 A.M. - 4:30 P.M. E.S.T.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on (703) 308-5340. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 305-3900.

Derrick W. Ferris
Examiner
Art Unit 2663

DWF


CHI PHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600 11/13/03